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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Alulbayt Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Bahrain Judicial system as a political punishment

According to Bahrain constitution issued by the authority in 2002, concerning the Judicial authority in chapter four, article (104), it states that "A The honor of the Judiciary, the integrity of the Judges and their justice will be the basis of rule and the guarantee of rights and liberties"

" B No one has any power over the Judge in the administration of justice Under no circumstance will there be interference with the course of justice and the law guarantees the independence of the judiciary The law will describe the security for the Judges and the special regulation in their respect "

"C The law will lay down special rules for public prosecution, the duties of giving legal advice, legislation, representing the State before the Judiciary and those working in this field."

"D The law will lay down the rules for legal practice "

The judiciary in Bahrain has been monitored by local and international human right organization, and this is due to the people complaints, lawyers statements, judges' behaviors and facts issued by local media which give serious concern on the judicial authority practice that oppose with the written law

SALAM for democracy and human rights have been following the judicial practice in the past year and have examine many of the cases that give clear evidence that judicial authority - which is formed and headed by the king himself - is another political tool to oppress opponents in general and protect and, acquit members of authority.

There is hundreds of evidence; however the following provide you with two major human rights organization report and 2 individual cases which confirm that Judiciary in Bahrain is exploited as a political punishment mechanism

- Human rights watch 2014 Criminalizing Dissent, Entrenching Impunity, Persistent Failures of the Bahraini Justice System since the BICI Report [1]
- Amnesty international- report 19 April 2015: in many cases that Amnesty International has reviewed, defendants were denied prompt access to legal assistance or their allegations of torture in pre-trial detention were dismissed without adequate investigation by prosecution and courts. Defence lawyers were often denied full access to case files, impeding or denying them the means to prepare an adequate defence, not permitted to fully cross-examine witnesses, and had requests to call independent experts on certain matters rejected or ignored. Courts generally relied on information provided by preliminary police investigations as evidence or information from police informants, and either failed to order independent investigations into defendants' allegations of torture by police to coerce "confessions" that they refuted in court or to delay trials until investigations had been carried out. Many defendants serving lengthy prison terms or sent enced to death were convicted by courts largely on the basis of "confessions " that they provided to police in pre-trial detention that they alleged were obtained through torture [2]

1- Victime Fadhil Abbas murderer acquitted
Bahraini courts acquitted a security officer from the deliberate killing of the victime Fadhil Abbas who was shot with live ammunition

2- Sh Ali Salman trial
Defence team member, Lawyer Dr Hassan Radhi : "court breached rights of defence panel by not allowing us to present core evidence to refute accusation against Sh Ali Salama"
Defence team member, Lawyer Jalila Al Sayed "The judge ask if the defence panel had anything to add , we said we wanted to present our evidence but he ended the session"

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[1] http://www.hrw.org/sites/default/files/reports/bahrain0514_forUpload.pdf

[2] http://t.co/zCqITbfjvg